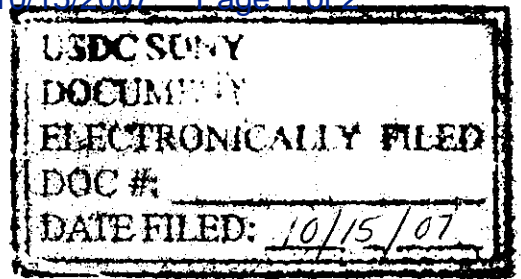


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
ANGEL SEGARRA & GLORIA SEGARRA, :

Plaintiffs, :

-against- :

ALLEN M. ROSENTHAL, :

Defendant. :

07 civ. 6098 (PKC) (AJP)

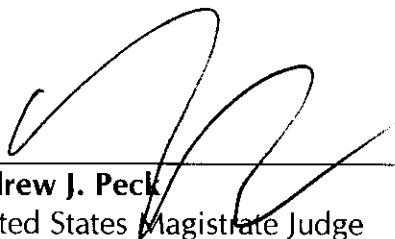
ORDER OF DISMISSAL ON CONSENT

----- x
ANDREW J. PECK, United States Magistrate Judge:

The parties having informed the Court that they have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs. Any pending motions are to be terminated as moot.

SO ORDERED.

DATED: New York, New York
October 15, 2007



Andrew J. Peck
United States Magistrate Judge

Copies **by fax & ECF** to: Kevin C. Mallon, Esq.
Ira R. Sitzer, Esq.
Allen M. Rosenthal, Esq.
Judge P. Kevin Castel

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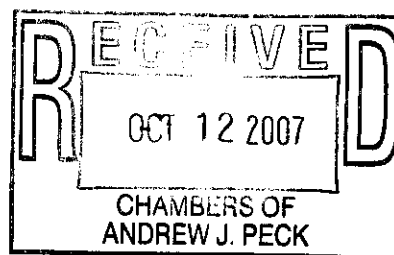
James B. Fishman

October 12, 2007

Hon. Andrew J. Peck
United States Magistrate Judge
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

BY FAX ONLY

Re: Segarra v. Rosenthal
07 CV 6098 (CK)



Laurence H. Pearson
William Leavitt
*Kevin Mallon
Of Counsel
*Also admitted in CA

Dear Judge Peck:

This letter will advise you that the parties in the above-referenced action have reached a settlement. Accordingly, the parties hereby jointly request that the settlement conference currently scheduled for October 16, 2007 at 10:30 a.m. be adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kevin Mallon".

Kevin Mallon
Counsel for the Plaintiffs

cc: Ira Sitzer
Counsel for Defendant Allen Rosenthal